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SUBJECT: TIMOR-LESTE: SECURITY COUNCIL CONSULTATIONS AND
CORE GROUP DISCUSSIONS

¶1. The Secretary-General has issued his regular report on Timor-Leste. The Timor-Leste Core Group will meet on August 15. The Security Council will discuss Timor-Leste at a luncheon on August 18, followed by consultations on August 19. USUN may draw on the talking points in paragraph 2 for these discussions.

¶2. Begin points:

-- We welcome the SYG's report, which covers a period that could have thrown Timor into chaos. It is a tribute to the government and people of Timor-Leste, and to the outstanding support being given by UNMIT and Timor's partners, that this did not occur. The U.S. joins Timor's many friends in expressing gratitude that President Ramos-Horta survived the armed attacks in February.

-- The reanimated dialogue among the various Timorese political parties is a very positive development. However, we echo the concern that the SYG expressed in his report that the emergency measures taken in February must not derail efforts to build a democratic and professional Timorese security sector.

-- The U.S. notes that an international prosecutor has been appointed to assist the Office of the Prosecutor General in following up the recommendations of the 2006 Commission of Inquiry (COI). We are concerned that there has been no apparent progress on the COI cases, and we have heard that the new prosecutor has been assigned to unrelated work. What is UNMIT doing to ensure that the Prosecutor General moves forward on the COI recommendations and that the international prosecutor is in fact working on these priority cases?

-- The SYG report also mentions an amnesty law under discussion in Timor-Leste that would reportedly cover all actors responsible for the 2006 crisis and the violence to persons and property that followed. If enacted, this law would undermine accountability, erode confidence in the rule of law, and exacerbate impunity. What steps has UNMIT taken to persuade the Timorese leadership not to declare an amnesty with such potential far-reaching negative consequences for justice and the rule of law?

-- The report discusses a proposed timetable for the transfer of policing responsibility from UNMIT to the Timorese National Police (PNTL). It also identifies five criteria against which the PNTL's readiness for the resumption of responsibility will be assessed. The U.S. urges that the handover of policing responsibility to the PNTL be determined on the basis of the PNTL's readiness, with the timetable revised as necessary in light of actual conditions.

-- The U.S. welcomes the Timorese Government's launching of its 2008 National Priorities (NP) as a potentially effective means of coordinating and focusing international support for

key social and economic development objectives. Several areas targeted for increased spending in the recent 2008 supplemental budget, however, were not identified as national priorities, eroding the relevance and utility of the National Priorities process. Moreover, several ministries have been less than whole-hearted participants in the NP process. We urge UNMIT to work with the Government to ensure that planning for the 2009 budget is fully incorporated into the NP process, and that key ministers participate fully in the process.

-- The recent passage of the 2008 supplemental budget will result in the rapid expansion of government expenditures. Given that the GOTL has in the past shown a limited capacity for properly executing budgets, and the short timetable for expenditure, we have great concerns about transparency in government procurement. How is UNMIT supporting the prime minister's objective of strengthening his government's ability to fight corruption, and the use of open, transparent procurement policies and procedures?

End points.
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